IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17834 of 2004

Between:

L.Suryanarayana Rao,

S/o L.Mohan Rao,
Casual Labourer,

T.R.A.Building Section (AO-DOT-SOFT),

O/o General Manager,

BSNL, Tirupathi

..... PETITIONER

AND

1 The Union of India,

rep., by Chief General Manager,

BSNL, AP Circle,

Hyderabad.
2 The General Manager,

BSNL, Tirupathi SSA,

Tirupathi.
3 The Deputy General Manager,

BSNL, Kapilthirtham Road,
Tirupathi.
4 The Assistant General Manager,

O/o General Manager,

BSNL, Tirupathi
5 The Accounts Officer (DOT-SOFT),

O/o General Manager, BSNL,

Tirupathi

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order, direction or a Writ more particularly in the nature of Writ of Mandamus by declaring the inaction of the respondents in conferring the temporary status designation and consequent absorption as Group D in terms of the Circulars dated 14-08-1998, 20-11-2000, 29-9-2000 even though the petitioner is eligible and entitled, as arbitrary, discriminatory, illegal, unjust and unsustainable, being violation of the Art.14,16 & 21 of the Constitution of India and set aside the same and consequently to direct the respondents to issue orders granting the benefit of temporary status of a Group D to the petitioner and consequent absorption as Group D with all consequential benefits.

Counsel for the Petitioner: Mr. KRISHNA DEVAN

Counsel for the Respondents: Mr. B. Devanand, SC for BSNL.,

The Court made the following ORDER:

The petitioner is working as a casual labour in the respondent-corporation. He is contending that he is eligible for confirming temporary status of Group-D, in terms of the scheme introduced by the respondent on 26-8-1998 and 20-11-2000.

The petitioner made a representation on 1-12-2003 requesting the 2nd respondent to give him temporary status, but the 2nd respondent did not pass any orders on the said representation. Therefore, the petitioner approached this Court seeking a direction to the 2nd respondent to consider his representation regarding his request for extending the benefit of temporary status.

In the light of the circumstances explained by the petitioner, the 2nd respondent is directed to pass appropriate orders on the representation of the petitioner dated 1-12-2003, seeking temporary status, keeping in view the circulars issued by the corporation from time to time within a period of two months from the date of receipt of a copy of this order. The Writ petition is accordingly disposed of. No order as to costs.

The petitioner is at liberty to file necessary documents before the respondent for passing appropriate orders on the representation dated 1-12-2003.

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(Dr.G.YETHIRAJULU,J)

4th October, 2004.

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To

1 The Union of India,

rep., by Chief General Manager,

BSNL, AP Circle,

Hyderabad.

2 The General Manager,

BSNL, Tirupathi SSA,

Tirupathi.

3 The Deputy General Manager,

BSNL, Kapilthirtham Road,
Tirupathi.

4 The Assistant General Manager,

O/o General Manager,

BSNL, Tirupathi

5 The Accounts Officer (DOT-SOFT),

O/o General Manager, BSNL,

Tirupathi

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